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REGISTER OF WAGE DETERMINATIONS UNDER | U.S. DEPARTMENT OF LABOR By direction of the Secretary of Labor | WAGE AND HOUR DIVISION

THE SERVICE CONTRACT ACT | EMPLOYMENT STANDARDS ADMINISTRATION WASHINGTON D.C. 20210

| Wage Determination No.: 2005-2153

Diane C. Koplewski Division of | Revision No.: 17 Wage Determinations| Director

Date Of Revision: 06/19/2013

States: American Samoa, Hawaii

Area: American Samoa Statewide

Hawaii Statewide OCCUPATION NOTE:

STEVEDORING AND LONGSHOREMEN: Wage rates and fringe benefits can be found on

Wage Determination 2000-0085

**Fringe Benefits Required Follow the Occupational Listing**	
OCCUPATION CODE - TITLE FOOTNOTE	RATE
01000 - Administrative Support And Clerical Occupations	
01011 - Accounting Clerk I	14.20
01012 - Accounting Clerk II	15.93
01013 - Accounting Clerk III	17.40
01020 - Administrative Assistant	26.48
01040 - Court Reporter	18.59
01051 - Data Entry Operator I	13.16
01052 - Data Entry Operator II	14.36
01060 - Dispatcher, Motor Vehicle	17.10
01070 - Document Preparation Clerk	13.15
01090 - Duplicating Machine Operator	13.79
01111 - General Clerk I	12.53
01112 - General Clerk II	13.67
01113 - General Clerk III	15.45
01120 - Housing Referral Assistant	23.77
01141 - Messenger Courier	12.47
01191 - Order Clerk I	13.18
01192 - Order Clerk II	14.38
01261 - Personnel Assistant (Employment) I	15.79
01262 - Personnel Assistant (Employment) II	17.88
01263 - Personnel Assistant (Employment) III	19.68
01270 - Production Control Clerk	18.86
01280 - Receptionist	15.40
01290 - Rental Clerk	15.79
01300 - Scheduler, Maintenance	19.05
01311 - Secretary I	19.05
01312 - Secretary II	21.31
01313 - Secretary III	23.77
01320 - Service Order Dispatcher	14.05
01410 - Supply Technician	25.82
01420 - Survey Worker	17.10
01531 - Travel Clerk I	14.78
01532 - Travel Clerk II	15.97
01533 - Travel Clerk III	17.12

01611	- Word Processor I	14.36
01612	- Word Processor II	16.11
01613	- Word Processor III	18.03
	Automotive Service Occupations	
	- Automobile Body Repairer, Fiberglass	22.19
05010	- Automotive Electrician	22.43
05040	- Automotive Glass Installer	22.00
05070	- Automotive Worker	22.00
	- Mobile Equipment Servicer	18.99
	- Motor Equipment Metal Mechanic	24.41
	- Motor Equipment Metal Worker	22.00
05190	- Motor Vehicle Mechanic	25.65
05220	- Motor Vehicle Mechanic Helper	17.39
05250	- Motor Vehicle Upholstery Worker	20.80
	- Motor Vehicle Wrecker	22.00
05310	- Painter, Automotive	23.19
05340	- Radiator Repair Specialist	22.00
05370	- Tire Repairer	13.78
05400	- Transmission Repair Specialist	24.37
07000 -	Food Preparation And Service Occupations	
07010	- Baker	14.87
07041	- Cook I	13.17
07042	- Cook II	15.29
07070	- Dishwasher	12.05
07130	- Food Service Worker	11.14
07210	- Meat Cutter	18.70
07260	- Waiter/Waitress	12.01
09000 -	Furniture Maintenance And Repair Occupations	
09010	- Electrostatic Spray Painter	17.41
09040	- Furniture Handler	11.71
09080	- Furniture Refinisher	19.15
09090	- Furniture Refinisher Helper	14.19
	- Furniture Repairer, Minor	16.63
	- Upholsterer	17.41
	General Services And Support Occupations	
11030	- Cleaner, Vehicles	10.89
11060	- Elevator Operator	12.89
	- Gardener	16.40
11122	- Housekeeping Aide	14.00
	- Janitor	14.00
11210	- Laborer, Grounds Maintenance	13.55
	- Maid or Houseman	14.49
11260	- Pruner	12.13
11270	- Tractor Operator	16.43
	- Trail Maintenance Worker	13.55
11360	- Window Cleaner	15.25
	Health Occupations	
	- Ambulance Driver	20.70
	- Breath Alcohol Technician	20.70
	- Certified Occupational Therapist Assistant	19.67
	- Certified Physical Therapist Assistant	18.41
	- Dental Assistant	14.80
	- Dental Hygienist	30.34
	- EKG Technician	26.02
	- Electroneurodiagnostic Technologist	26.02
	- Emergency Medical Technician	22.19
	- Licensed Practical Nurse I	18.51
	- Licensed Practical Nurse II	20.70
	- Licensed Practical Nurse III	23.09
	- Medical Assistant	14.83
	- Medical Laboratory Technician	19.74
	- Medical Record Clerk	17.82
12100	noarear noodra ordin	11.02

12190	- Medical Record Technician		19.93
	- Medical Transcriptionist		19.93
	- Nuclear Medicine Technologist		31.72
	- Nursing Assistant I		11.39
	- Nursing Assistant II		12.81
	- Nursing Assistant III		13.98
	- Nursing Assistant IV		15.69
	- Optical Dispenser		20.03
	- Optical Technician		14.91
12250	- Pharmacy Technician		17.19
12280	- Phlebotomist		15.69
12305	- Radiologic Technologist		29.04
	- Registered Nurse I		29.29
	- Registered Nurse II		35.82
	- Registered Nurse II, Specialist		35.82
	- Registered Nurse III		43.34
	- Registered Nurse III, Anesthetist		43.34
	- Registered Nurse IV		51.94
	- Scheduler (Drug and Alcohol Testing)		25.66
	Information And Arts Occupations		19.61
	- Exhibits Specialist I - Exhibits Specialist II		23.29
	- Exhibits Specialist III		28.49
	- Illustrator I		20.49
	- Illustrator II		25.67
	- Illustrator III		31.40
	- Librarian		28.71
13050	- Library Aide/Clerk		14.17
	- Library Information Technology Systems		21.89
	istrator		
13058	- Library Technician		17.36
13061	- Media Specialist I		15.86
	- Media Specialist II		17.74
	- Media Specialist III		19.78
	- Photographer I		14.00
	- Photographer II		16.54
	- Photographer III		19.61
	- Photographer IV		23.99
	- Photographer V		28.99
	- Video Teleconference Technician		20.30
	Information Technology Occupations - Computer Operator I		17.54
	- Computer Operator II		19.62
	- Computer Operator III		22.80
	- Computer Operator IV		24.81
	- Computer Operator V		27.45
	- Computer Programmer I	(see 1)	27.62
	- Computer Programmer II	(see 1)	
	- Computer Programmer III	(see 1)	
	- Computer Programmer IV	(see 1)	
14101	- Computer Systems Analyst I	(see 1)	
14102	- Computer Systems Analyst II	(see 1)	
	- Computer Systems Analyst III	(see 1)	
	- Peripheral Equipment Operator		17.54
	- Personal Computer Support Technician		24.81
	Instructional Occupations		20 22
	- Aircrew Training Devices Instructor (Non-Rated)		30.83
	- Aircrew Training Devices Instructor (Rated) - Air Crew Training Devices Instructor (Pilot)		37.30 43.09
	- Air Crew Training Devices Instructor (Pilot) - Computer Based Training Specialist / Instructor		30.83
	- Educational Technologist		25.80
	- Flight Instructor (Pilot)		43.09
10070	1119110 11100140001 (111100)		10.00

	- Graphic Artist	22.97
	- Technical Instructor	19.66
	- Technical Instructor/Course Developer	24.05
	- Test Proctor	19.47
	- Tutor	19.47
	Laundry, Dry-Cleaning, Pressing And Related Occupations	44 50
	- Assembler	11.72
	- Counter Attendant	11.72
	- Dry Cleaner	14.51 11.72
	- Finisher, Flatwork, Machine	11.72
	- Presser, Hand	11.72
	- Presser, Machine, Drycleaning	11.72
	- Presser, Machine, Shirts - Presser, Machine, Wearing Apparel, Laundry	11.72
	- Sewing Machine Operator	15.45
	- Tailor	16.27
	- Washer, Machine	12.67
	Machine Tool Operation And Repair Occupations	12.07
	- Machine-Tool Operator (Tool Room)	24.08
	- Tool And Die Maker	30.25
	Materials Handling And Packing Occupations	30.23
	- Forklift Operator	20.84
	- Material Coordinator	21.89
	- Material Expediter	21.89
	- Material Handling Laborer	16.89
	- Order Filler	13.51
	- Production Line Worker (Food Processing)	20.84
	- Shipping Packer	15.22
	- Shipping/Receiving Clerk	14.69
	- Store Worker I	13.23
21150	- Stock Clerk	18.58
21210	- Tools And Parts Attendant	20.84
21410	- Warehouse Specialist	20.84
	Mechanics And Maintenance And Repair Occupations	
23010	- Aerospace Structural Welder	28.74
23021	- Aircraft Mechanic I	27.03
23022	- Aircraft Mechanic II	28.74
23023	- Aircraft Mechanic III	30.43
23040	- Aircraft Mechanic Helper	19.51
	- Aircraft, Painter	25.27
23060	- Aircraft Servicer	22.63
	- Aircraft Worker	24.16
	- Appliance Mechanic	21.94
	- Bicycle Repairer	15.16
	- Cable Splicer	28.39
	- Carpenter, Maintenance	30.99
	- Carpet Layer	24.86
	- Electrician, Maintenance	28.25
	- Electronics Technician Maintenance I	26.83
	- Electronics Technician Maintenance II	28.69
	- Electronics Technician Maintenance III	30.56 20.95
	make the provided	711 95
	- Fabric Worker	
	- Fire Alarm System Mechanic	23.46
23310	- Fire Alarm System Mechanic - Fire Extinguisher Repairer	23.46 19.40
23310 23311	<ul><li>Fire Alarm System Mechanic</li><li>Fire Extinguisher Repairer</li><li>Fuel Distribution System Mechanic</li></ul>	23.46 19.40 27.68
23310 23311 23312	<ul><li>Fire Alarm System Mechanic</li><li>Fire Extinguisher Repairer</li><li>Fuel Distribution System Mechanic</li><li>Fuel Distribution System Operator</li></ul>	23.46 19.40 27.68 21.58
23310 23311 23312 23370	- Fire Alarm System Mechanic - Fire Extinguisher Repairer - Fuel Distribution System Mechanic - Fuel Distribution System Operator - General Maintenance Worker	23.46 19.40 27.68 21.58 18.45
23310 23311 23312 23370 23380	- Fire Alarm System Mechanic - Fire Extinguisher Repairer - Fuel Distribution System Mechanic - Fuel Distribution System Operator - General Maintenance Worker - Ground Support Equipment Mechanic	23.46 19.40 27.68 21.58 18.45 27.03
23310 23311 23312 23370 23380 23381	- Fire Alarm System Mechanic - Fire Extinguisher Repairer - Fuel Distribution System Mechanic - Fuel Distribution System Operator - General Maintenance Worker - Ground Support Equipment Mechanic - Ground Support Equipment Servicer	23.46 19.40 27.68 21.58 18.45 27.03 22.63
23310 23311 23312 23370 23380 23381 23382	- Fire Alarm System Mechanic - Fire Extinguisher Repairer - Fuel Distribution System Mechanic - Fuel Distribution System Operator - General Maintenance Worker - Ground Support Equipment Mechanic - Ground Support Equipment Servicer - Ground Support Equipment Worker	23.46 19.40 27.68 21.58 18.45 27.03 22.63 24.16
23310 23311 23312 23370 23380 23381 23382 23391	- Fire Alarm System Mechanic - Fire Extinguisher Repairer - Fuel Distribution System Mechanic - Fuel Distribution System Operator - General Maintenance Worker - Ground Support Equipment Mechanic - Ground Support Equipment Servicer	23.46 19.40 27.68 21.58 18.45 27.03 22.63

23393 - Gunsmith III	25.64
23410 - Heating, Ventilation And Air-Conditioning	24.07
Mechanic	
23411 - Heating, Ventilation And Air Contditioning	25.52
Mechanic (Research Facility)	
23430 - Heavy Equipment Mechanic	28.29
23440 - Heavy Equipment Operator	34.11
23460 - Instrument Mechanic	29.96
23465 - Laboratory/Shelter Mechanic	24.07
23470 - Laborer	16.49
23510 - Locksmith	23.45
23530 - Machinery Maintenance Mechanic	24.70
23550 - Machinist, Maintenance	24.58
23580 - Maintenance Trades Helper	14.93
23591 - Metrology Technician I	29.96
23592 - Metrology Technician II	31.76
23593 - Metrology Technician III	33.49
23640 - Millwright	25.64
23710 - Office Appliance Repairer	21.56
23710 - Office Appliance Repairer 23760 - Painter, Maintenance	25.29
23790 - Painter, Maintenance 23790 - Pipefitter, Maintenance	27.69
<u>.                                      </u>	25.71
23810 - Plumber, Maintenance	
23820 - Pneudraulic Systems Mechanic	25.64
23850 - Rigger	25.64
23870 - Scale Mechanic	22.51
23890 - Sheet-Metal Worker, Maintenance	28.46
23910 - Small Engine Mechanic	20.91
23931 - Telecommunications Mechanic I	27.52
23932 - Telecommunications Mechanic II	28.05
23950 - Telephone Lineman	24.18
23960 - Welder, Combination, Maintenance	25.04
23965 - Well Driller	25.14
23970 - Woodcraft Worker	25.64
23980 - Woodworker	17.67
24000 - Personal Needs Occupations	
24570 - Child Care Attendant	11.62
24580 - Child Care Center Clerk	15.14
24610 - Chore Aide	11.40
24620 - Family Readiness And Support Services	16.19
Coordinator	
24630 - Homemaker	20.11
25000 - Plant And System Operations Occupations	20.11
25010 - Boiler Tender	26.42
25040 - Sewage Plant Operator	21.94
25070 - Stationary Engineer	26.42
	19.25
25190 - Ventilation Equipment Tender	
25210 - Water Treatment Plant Operator	21.94
27000 - Protective Service Occupations	10.60
27004 - Alarm Monitor	18.69
27007 - Baggage Inspector	12.13
27008 - Corrections Officer	21.67
27010 - Court Security Officer	23.28
27030 - Detection Dog Handler	15.35
27040 - Detention Officer	21.67
27070 - Firefighter	23.69
27101 - Guard I	12.13
27102 - Guard II	15.35
27131 - Police Officer I	23.97
27132 - Police Officer II	26.64
28000 - Recreation Occupations	
28041 - Carnival Equipment Operator	12.47
28042 - Carnival Equipment Repairer	13.26

28043 - Carnival Equpment Worker		9.93
28210 - Gate Attendant/Gate Tender		15.40
28310 - Lifeguard		15.84
28350 - Park Attendant (Aide)		17.23
28510 - Recreation Aide/Health Facility Attendant		13.19
28515 - Recreation Specialist		21.44
28630 - Sports Official		13.72
28690 - Swimming Pool Operator		17.14
30000 - Technical Occupations		
30010 - Air Traffic Control Specialist, Center (HFO)	(see 2)	35.77
30011 - Air Traffic Control Specialist, Station (HFO)		24.66
30012 - Air Traffic Control Specialist, Terminal (HFC	) (see 2)	27.16
30021 - Archeological Technician I		16.98
30022 - Archeological Technician II		19.43
30023 - Archeological Technician III		24.08
30030 - Cartographic Technician		24.08
30040 - Civil Engineering Technician		21.55
30061 - Drafter/CAD Operator I		16.86
30062 - Drafter/CAD Operator II		19.43
30063 - Drafter/CAD Operator III		21.67
30064 - Drafter/CAD Operator IV		26.66
30081 - Engineering Technician I		15.91
30082 - Engineering Technician II		18.64
30083 - Engineering Technician III		22.50
30084 - Engineering Technician IV		29.74
30085 - Engineering Technician V		32.60
30086 - Engineering Technician VI		39.41
30090 - Environmental Technician		22.21
30210 - Laboratory Technician		23.01
30240 - Mathematical Technician		25.78
30361 - Paralegal/Legal Assistant I		18.66
30362 - Paralegal/Legal Assistant II		23.13
30363 - Paralegal/Legal Assistant III		28.30
30364 - Paralegal/Legal Assistant IV		34.23
30390 - Photo-Optics Technician		25.78
30461 - Technical Writer I		22.86
30462 - Technical Writer II		27.96
30463 - Technical Writer III		33.84
30491 - Unexploded Ordnance (UXO) Technician I		22.74
30492 - Unexploded Ordnance (UXO) Technician II		27.51
30493 - Unexploded Ordnance (UXO) Technician III		32.97
30494 - Unexploded (UXO) Safety Escort		22.74
30495 - Unexploded (UXO) Sweep Personnel		22.74
30620 - Weather Observer, Combined Upper Air Or	(see 2)	21.67
Surface Programs		
30621 - Weather Observer, Senior	(see 2)	24.08
31000 - Transportation/Mobile Equipment Operation Occup	oations	
31020 - Bus Aide		12.94
31030 - Bus Driver		18.43
31043 - Driver Courier		14.10
31260 - Parking and Lot Attendant		9.16
31290 - Shuttle Bus Driver		14.98
31310 - Taxi Driver		11.77
31361 - Truckdriver, Light		14.98
31362 - Truckdriver, Medium		17.26
31363 - Truckdriver, Heavy		18.27
31364 - Truckdriver, Tractor-Trailer		18.27
99000 - Miscellaneous Occupations		
99030 - Cashier		10.93
99050 - Desk Clerk		18.46
99095 - Embalmer		22.34
99251 - Laboratory Animal Caretaker I		12.41

99252 - Laboratory Animal Caretaker II	17.67
99310 - Mortician	24.57
99410 - Pest Controller	17.33
99510 - Photofinishing Worker	13.86
99710 - Recycling Laborer	19.19
99711 - Recycling Specialist	23.10
99730 - Refuse Collector	17.18
99810 - Sales Clerk	14.39
99820 - School Crossing Guard	15.03
99830 - Survey Party Chief	24.01
99831 - Surveying Aide	13.13
99832 - Surveying Technician	17.99
99840 - Vending Machine Attendant	12.64
99841 - Vending Machine Repairer	15.06
99842 - Vending Machine Repairer Helper	12.64

## ALL OCCUPATIONS LISTED ABOVE RECEIVE THE FOLLOWING BENEFITS:

HEALTH & WELFARE: (Hawaii): \$1.55 per hour, or \$62.00 per week, or \$268.66 per month hour for all employees on whose behalf the contractor provides health care benefits pursuant to the Hawaii prepaid Health Care Act. For those employees who are not receiving health care benefits mandated by the Hawaii prepaid Health Care Act, the new health and welfare benefit rate will be \$3.81 per hour.

VACATION: 2 weeks paid vacation after 1 year of service with a contractor or successor; 3 weeks after 10 years, and 4 after 15 years. Length of service includes the whole span of continuous service with the present contractor or successor, wherever employed, and with the predecessor contractors in the performance of similar work at the same Federal facility. (Reg. 29 CFR 4.173)

HOLIDAYS: A minimum of ten paid holidays per year, New Year's Day, Martin Luther King Jr's Birthday, Washington's Birthday, Memorial Day, Independence Day, Labor Day, Columbus Day, Veterans' Day, Thanksgiving Day, and Christmas Day. (A contractor may substitute for any of the named holidays another day off with pay in accordance with a plan communicated to the employees involved.) (See 29 CFR 4174)

## THE OCCUPATIONS WHICH HAVE NUMBERED FOOTNOTES IN PARENTHESES RECEIVE THE FOLLOWING:

1) COMPUTER EMPLOYEES: Under the SCA at section 8(b), this wage determination does not apply to any employee who individually qualifies as a bona fide executive, administrative, or professional employee as defined in 29 C.F.R. Part 541. Because most Computer System Analysts and Computer Programmers who are compensated at a rate not less than \$27.63 (or on a salary or fee basis at a rate not less than \$455 per week) an hour would likely qualify as exempt computer professionals, (29 C.F.R. 541. 400) wage rates may not be listed on this wage determination for all occupations within those job families. In addition, because this wage determination may not list a wage rate for some or all occupations within those job families if the survey data indicates that the prevailing wage rate for the occupation equals or exceeds \$27.63 per hour conformances may be necessary for certain nonexempt employees. For example, if an individual employee is nonexempt but nevertheless performs duties within the scope of one of the Computer Systems Analyst or Computer Programmer occupations for which this wage determination does not specify an SCA wage rate, then the wage rate for that employee must be conformed in accordance with the conformance procedures described in the conformance note included on this wage determination.

Additionally, because job titles vary widely and change quickly in the computer industry, job titles are not determinative of the application of the computer professional exemption. Therefore, the exemption applies only to computer employees who satisfy the compensation requirements and whose primary duty consists of:

- (1) The application of systems analysis techniques and procedures, including consulting with users, to determine hardware, software or system functional specifications;
- (2) The design, development, documentation, analysis, creation, testing or modification of computer systems or programs, including prototypes, based on and related to user or system design specifications;
- (3) The design, documentation, testing, creation or modification of computer programs related to machine operating systems; or
- (4) A combination of the aforementioned duties, the performance of which requires the same level of skills. (29 C.F.R. 541.400).
- 2) AIR TRAFFIC CONTROLLERS AND WEATHER OBSERVERS NIGHT PAY & SUNDAY PAY: If you work at night as part of a regular tour of duty, you will earn a night differential and receive an additional 10% of basic pay for any hours worked between 6pm and 6am. If you are a full-time employed (40 hours a week) and Sunday is part of your regularly scheduled workweek, you are paid at your rate of basic pay plus a Sunday premium of 25% of your basic rate for each hour of Sunday work which is not overtime (i.e. occasional work on Sunday outside the normal tour of duty is considered overtime work).

HAZARDOUS PAY DIFFERENTIAL: An 8 percent differential is applicable to employees employed in a position that represents a high degree of hazard when working with or in close proximity to ordinance, explosives, and incendiary materials. This includes work such as screening, blending, dying, mixing, and pressing of sensitive ordance, explosives, and pyrotechnic compositions such as lead azide, black powder and photoflash powder. All dry-house activities involving propellants or explosives. Demilitarization, modification, renovation, demolition, and maintenance operations on sensitive ordnance, explosives and incendiary materials. All operations involving regrading and cleaning of artillery ranges.

A 4 percent differential is applicable to employees employed in a position that represents a low degree of hazard when working with, or in close proximity to ordance, (or employees possibly adjacent to) explosives and incendiary materials which involves potential injury such as laceration of hands, face, or arms of the employee engaged in the operation, irritation of the skin, minor burns and the like; minimal damage to immediate or adjacent work area or equipment being used. All operations involving, unloading, storage, and hauling of ordance, explosive, and incendiary ordnance material other than small arms ammunition. These differentials are only applicable to work that has been specifically designated by the agency for ordance, explosives, and incendiary material differential pay.

## \*\* UNIFORM ALLOWANCE \*\*

If employees are required to wear uniforms in the performance of this contract (either by the terms of the Government contract, by the employer, by the state or local law, etc.), the cost of furnishing such uniforms and maintaining (by laundering or dry cleaning) such uniforms is an expense that may not be borne by an employee where such cost reduces the hourly rate below that required by the wage determination. The Department of Labor will accept payment in accordance with the following standards as compliance:

The contractor or subcontractor is required to furnish all employees with an adequate number of uniforms without cost or to reimburse employees for the actual cost of the uniforms. In addition, where uniform cleaning and maintenance is made the responsibility of the employee, all contractors and subcontractors subject to this wage determination shall (in the absence of a bona fide collective bargaining

agreement providing for a different amount, or the furnishing of contrary affirmative proof as to the actual cost), reimburse all employees for such cleaning and maintenance at a rate of \$3.35 per week (or \$.67 cents per day). However, in those instances where the uniforms furnished are made of "wash and wear" materials, may be routinely washed and dried with other personal garments, and do not require any special treatment such as dry cleaning, daily washing, or commercial laundering in order to meet the cleanliness or appearance standards set by the terms of the Government contract, by the contractor, by law, or by the nature of the work, there is no requirement that employees be reimbursed for uniform maintenance costs.

The duties of employees under job titles listed are those described in the "Service Contract Act Directory of Occupations", Fifth Edition, April 2006, unless otherwise indicated. Copies of the Directory are available on the Internet. A links to the Directory may be found on the WHD home page at http://www.dol.gov/esa/whd/ or through the Wage Determinations On-Line (WDOL) Web site at http://wdol.gov/.

REQUEST FOR AUTHORIZATION OF ADDITIONAL CLASSIFICATION AND WAGE RATE  $\{Standard\ Form\ 1444\ (SF\ 1444)\}$ 

## Conformance Process:

The contracting officer shall require that any class of service employee which is not listed herein and which is to be employed under the contract (i.e., the work to be performed is not performed by any classification listed in the wage determination), be classified by the contractor so as to provide a reasonable relationship (i.e., appropriate level of skill comparison) between such unlisted classifications and the classifications listed in the wage determination. Such conformed classes of employees shall be paid the monetary wages and furnished the fringe benefits as are determined. Such conforming process shall be initiated by the contractor prior to the performance of contract work by such unlisted class(es) of employees. The conformed classification, wage rate, and/or fringe benefits shall be retroactive to the commencement date of the contract. {See Section 4.6 (C)(vi)} When multiple wage determinations are included in a contract, a separate SF 1444 should be prepared for each wage determination to which a class(es) is to be conformed.

The process for preparing a conformance request is as follows:

- 1) When preparing the bid, the contractor identifies the need for a conformed occupation(s) and computes a proposed rate(s).
- 2) After contract award, the contractor prepares a written report listing in order proposed classification title(s), a Federal grade equivalency (FGE) for each proposed classification(s), job description(s), and rationale for proposed wage rate(s), including information regarding the agreement or disagreement of the authorized representative of the employees involved, or where there is no authorized representative, the employees themselves. This report should be submitted to the contracting officer no later than 30 days after such unlisted class(es) of employees performs any contract work.
- 3) The contracting officer reviews the proposed action and promptly submits a report of the action, together with the agency's recommendations and pertinent information including the position of the contractor and the employees, to the Wage and Hour Division, Employment Standards Administration, U.S. Department of Labor, for review. (See section 4.6(b)(2) of Regulations 29 CFR Part 4).
- 4) Within 30 days of receipt, the Wage and Hour Division approves, modifies, or disapproves the action via transmittal to the agency contracting officer, or notifies the contracting officer that additional time will be required to process the request.

- 5) The contracting officer transmits the Wage and Hour decision to the contractor.
- 6) The contractor informs the affected employees.

Information required by the Regulations must be submitted on SF 1444 or bond paper.

When preparing a conformance request, the "Service Contract Act Directory of Occupations" (the Directory) should be used to compare job definitions to insure that duties requested are not performed by a classification already listed in the wage determination. Remember, it is not the job title, but the required tasks that determine whether a class is included in an established wage determination. Conformances may not be used to artificially split, combine, or subdivide classifications listed in the wage determination.